

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARLON RAMOS,

Petitioner,

v.

ERIC H. HOLDER JR., et al.,

Respondents.

Case No. C15-240-MJP-BAT

**REPORT AND
RECOMMENDATION**

Marlon Ramos is proceeding *pro se* in this habeas action pursuant to 28 U.S.C. § 2241. By letter dated February 27, 2015, Mr. Ramos was granted 30 days to either pay the \$5.00 filing fee or submit a completed application to proceed *in forma pauperis* (“IFP”), along with a certified copy of his prison trust account statement showing transactions for the past six months. Dkt. 3. Mr. Ramos was advised that failure to respond to the letter by March 30, 2015, could result in dismissal of the case. *Id.* To date, Mr. Ramos has neither paid the filing fee nor submitted a completed application for IFP status. Accordingly, the Court recommends that this action be **DISMISSED** without prejudice for failure to pay the filing fee pursuant to 28 U.S.C. § 1914. A proposed order accompanies this Report and Recommendation.

This Report and Recommendation is not an appealable order. Therefore a notice of appeal seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the

1 assigned District Judge enters a judgment in the case. Objections, however, may be filed and
2 served upon all parties no later than **April 27, 2015**. The Clerk should note the matter for **April**
3 **27, 2015**, as ready for the District Judge's consideration if no objection is filed. If objections are
4 filed, any response is due within 14 days after being served with the objections. A party filing an
5 objection must note the matter for the Court's consideration 14 days from the date the objection
6 is filed and served. The matter will then be ready for the Court's consideration on the date the
7 response is due. Objections and responses shall not exceed five pages. The failure to timely
8 object may affect the right to appeal.

9 DATED this 6th day of April, 2015.

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12 BRIAN A. TSUCHIDA
13 United States Magistrate Judge
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